



# American Corn Growers Association

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Before the  
Federal Communications Commission  
Washington, DC 20554

In the Matter of )  
Implementation of Section 621(a)(1) of )  
The Cable Communications Policy Act) MB Docket No. 05-311  
Of 1984 as Amended by the Cable )  
Television Consumer Protection and )  
Competition Act of 1992 )

## REPLY COMMENTS OF THE AMERICAN CORN GROWERS ASSOCIATION

### I. INTRODUCTION

The American Corn Growers Association (ACGA) is America's leading progressive commodity association, representing the interests of corn producers in 35 states. Since its inception in 1987, the ACGA has worked tirelessly to enhance farm income and protect rural communities. We recognize that farmers here and abroad need to have the opportunity to be rewarded for their time, investment, and commitment to feeding the world. The ACGA is also a member of the Consumers for Cable Choice<sup>1</sup> alliance of consumer organizations with members throughout the United States who are committed to the development of a competitive, vibrant cable communications market.

These reply comments to the proceeding captioned above are submitted because we believe that all cable/video providers should compete on an equal basis; cable providers that have existed for the past 30 years should not be exempt from the rules of direct market forces; most importantly, that new entrants to the market should not be hindered by outdated, multiple regulatory processes.

ACGA firmly believes that the current cable market is not conducive to the consumers' best interests. We urge the FCC to move ahead with adapting its regulations in accordance with Section 621(a)(1). By modernizing its rules in a manner that will allow all providers of video content to offer their services to consumers, the FCC will help all Americans, especially those of us in rural areas, to benefit from advanced communications technology in a timely manner.

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<sup>1</sup> Consumers for Cable Choice, Inc is a not-for-profit corporation formed under Section 501(c)(4) of the Internal Revenue Code.

## II. DISCUSSION

For the record, ACGA agrees with comments from the Small Business and Entrepreneurship Council (SBE) that the local franchise system reflects cable TV monopolies that were prevalent 30 years ago, when most local franchise regulations were created. In addition, we agree that to make telecommunications companies apply for franchise agreements in every one of America's 30,000-plus cable TV jurisdictions is a waste of time, resources and opportunity, and could mean a deployment delay of 10-15 years to homes and small businesses. We further contend that in some rural areas, it would take double that amount of time if this regulatory climate is allowed to continue in its current condition.

We agree with Valley Vote that the FCC has the authority to reform the current system that is unfair to consumers; further, that the Commission should remove barriers that block entry by new service providers.

ACGA strongly supports the FCC's interim judgment that the Commission "has authority to implement Section 621(a)(1)'s directive that local franchise authorities not unreasonably refuse to award competitive franchises." We believe that the efforts of the FCC to prevent impediments in the cable franchise marketplace have potential benefits on two levels: 1. enhance entertainment options and, 2. help our members to increase their competitive edge through much needed advanced communication services.

There is further reason for the FCC to continue its effort to use its authority under Section 621. The effort to deliver video content by telecommunications companies is one that would not be carried on cable infrastructure. The proposed methodology for delivery of video content is separate and apart from the existing cable infrastructure. This fact creates the impression that the very objections raised in this proceeding are yet another delaying tactic. We urge the Commission to maintain its direction, and create a fair and competitive market environment that will benefit all consumers.

## III. CONCLUSION

Despite what some opponents may argue, we believe that the burdensome, outdated local franchising regulations act as a barrier to the membership of the American Corn Growers Association, who want access to state-of-the-art communications and entertainment. Just as any of our urban or suburban business counterparts, the farmers, ranchers and rural residents of our country deserve to have access to the all the tools they need in order to survive in business, as well as quality in the delivery of entertainment. The existing franchising process is rooted with unjustifiable impediments that can only produce at the slowest possible pace.

At the rate technology is moving, the FCC should not be viewed as one of those federal agencies that cannot move fast enough to keep up with the market conditions and the American consumer. The American Corn Growers Association urges the Commission to continue to plow the field that will promote the franchise reform to benefit all American consumers.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Larry Mitchell". The signature is written in a cursive, flowing style.

Larry Mitchell  
Chief Executive Officer  
The American Corn Growers Association

March 26, 2006